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ALEXANDER HAMILTON

A HISTORICAL STUDY

BY THE

HONORABLE GEORGE SHEA

CHIEF JUSTICE OF THE MARINE COURT

NEW YORK
PUBLISHED BY HURD AND HOUGHTON
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1877

TO THE READER:

The following Part, complete in itself, is now published, and in this form, in advance of the other three Parts of the proposed volume, with an intent to facilitate the success of an existing project to raise a public memorial, in the city of New York, to ALEXANDER HAMILTON, *by diffusing in this way a more popular and a full knowledge of the man, his genius, and the scope of his labors.*

New-York, Feby 28th 1877
205 W. 46th St.

My respected & dear Bishop,

I ask you to accept an early copy of a literary venture of mine which will be published on next Saturday. It may impair my full standing in a peculiar political party: but I hope it will approve me a very decided American in principle. The matter of the work has been for sometime floating in my poor brain; but I trust

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THIS

ESSAY TO DELINEATE THE TIMES AND GENIUS

OF

ALEXANDER HAMILTON

IS INSCRIBED TO THE

LORD HOUGHTON,

SCHOLAR, POET, STATESMAN, MASTER OF THE ENGLISH TONGUE,

IN REMEMBRANCE OF PLEASANT SOCIAL HOURS,

AND

IN ACKNOWLEDGMENT OF HIS WARM KINDRED FEELINGS TOWARD

MY COUNTRY.

PART I.

THE INDIVIDUAL.

PART I.

THE INDIVIDUAL.

MORE than three-score years and ten have passed since Alexander Hamilton died. Men then thought and spoke of his death as untimely for himself and his country. History will give no such judgment. For himself, for his peace of mind and the simple grandeur of his fame, the time of his death must be esteemed fortunate; for the Republic, now as we look back upon the course of events, the sacrifice appears to have been desirable. He was not doomed to outlive his usefulness; nor to live into those days when doctrines which he feared and opposed, and when personal solicitation for office, were to gain ascendency in the administration of the government. Nor was his heart to be embittered, as many others have been, by ephemeral contentions, in which the honors of his pitched and decisive battles might be dimmed and degraded.[1] He had laid the foundation, broad

[1] "Jefferson and Madison were brought forward by caucus nominations. . . . . The first year [1821] of Mr. Monroe's second term had scarcely passed away before the political atmosphere be-

and deep, of a republic for the people. He had secured, by potential constitutional bulwarks, the frame of its government from the changes and chances of ordinary mutability, decay, and violent revolution. It was, by its written word, self-adjusting and self-remedial. It contained, within itself, the means of improvement, derived from the Confederation, but now made practicable and vital; and, like the adaptive nature of the common law, capable of falling in with each phase in the progress of true civilization and national expansion. Revolution by force was to be without excuse henceforth. The winds and the waves may now come and beat upon the house. It was not built in the sands of an ever shifting popular feeling, but on the fixed and durable rock of a constitutional Republic. A "fierce democratie" meant, in his understanding, as enlightened by the philosophy taught by historical examples, license, not law, and ultimate anarchy: a republic meant that "democratie" under the regulation of a supreme law.

This discriminating idea concerning a form of pure republican government was one entertained, at that early day, by a few forward men, who seem to have been unwilling to openly proclaim it.

came inflamed to an unprecedented extent. The republican party, so long in the ascendant, and apparently so omnipotent, was literally shattered into fragments, and we had no fewer than five republican presidential candidates in the field."—*President Van Buren's Political Parties*, p. 3.

Mirabeau ventured once, and only once, to utter the thought; and then at that private meeting of friends, so fatal in its immediate consequences to himself and to France. Lafayette, "too republican for the genius of his country," was denounced in the National Assembly, his arrest decreed, and emissaries sent to carry the decree into effect. The annihilation of the constitutional party and the commencement of the Reign of Terror, were concurrent events. Hamilton was unreserved in all places where discussion was appropriate. Never untimely intrusive, yet, when he spoke, it was fully and without reserve. He acted under the influence of opinions which had been honestly formed, and in the correctness of which he confided to the end; opinions which, he hoped, would in the sequel prove acceptable to the majority, but to which he felt it his duty to adhere, whatever might be the consequence to himself of his perseverance. That he favored a monarchy is an absurd prejudice. If he had favored it he knew quite well that a commonwealth was the old beaten highroad that leads to royalty.[1] Many too sincerely believed that he

[1] Napoleon III. observed and spoke of the familiar "tendency of the democracy to personify itself in one man." Franklin declared, in the Constitutional Convention, that there is "a natural inclination" in the masses of mankind to kingly government, "as it gives more the appearance of equality among citizens; and that they like." —*Madison's Debates*, vol. 2, p. 773.

The emperor, in a conversation with Colonel Vaudrey, related in

did; and suspicion detected as proof that which reason should place to a different account. He knew human nature better than to attempt to superinduce upon American civilization, peculiar and sensitive as it was, a system already rejected, and alien to the genius of its origin and development.[1] To be sure, the war for independence was an assertion and vindication of the rights claimed by the colonists as British subjects. The denial of those rights by a British ministry was officially avowed as the adequate cause for resistance, and, when persisted in, of final complete separation from the crown.[2] The object of the Revolution

the preface to the English edition of his *Idées Napoleoniennes*, said: "France is democratic, not republican. By democracy, I mean the government of an individual by the will of all; by a republic, I mean the government of a number, in obedience to a certain system."

[1] "The idea," writes Hamilton, "of introducing a monarchy or aristocracy into this country, by employing the influence and force of a government, continually changing hands, towards it, is one of those visionary things that none but madmen could meditate, and that no wise man will believe." — *Hamilton's Works*, vol. 4, p. 271.

[2] In the closing pages of his autobiography, Mr. Jefferson tells us that he called upon Franklin in Philadelphia in 1790, and only a few weeks before his death (which occurred April 17, 1790), when Franklin placed in Jefferson's hands a full account of his negotiations with the British ministry in London, through Lord Howe. "I remember," continues Jefferson, "that Lord North's answers were dry, unyielding in the spirit of unconditional submission, and betrayed an absolute indifference to the occurrence of a rupture; and he said to the mediators, at last, that 'a rebellion was not to be deprecated on the part of Great Britain; that the confiscations it would produce would provide for many of their friends.' This

was to uphold and continue, not to prostrate and destroy, those principles of free government and that jurisprudence which were their inheritance, and constituted their cherished state-household. As Macaulay says of the English Revolution of 1688, an event which these colonists ever regarded with respect, "in almost every word and act may be discerned a profound reverence for the past." But it was the principles of English constitutional liberty, and not the hereditary monarchy, which held their profound reverence; — the principles of that revolution, so accurately described by the same brilliant writer, and which "of all revolutions the least violent, has been of all revolutions the most beneficent. It finally decided the great question whether the popular element which had, ever since the age of Fitzwalter and De Montfort, been found in the English polity, should be destroyed by the monarchical element, or should be suffered to develope itself freely, and to become dominant."[1] Hamilton, and the Nationalists of that period who followed his lead, knew that a commonwealth or a Cromwellian era was alike not to the purpose of settling for their country a beneficial, competent, and permanent government.

expression was reported by the mediators to Franklin, and indicated so cool and calculated a purpose in the ministry as to render compromise hopeless, and the negotiation was discontinued" — *Jefferson's Works*, vol. 1 (Washington edition).

[1] *History of England*, vol. 2, p. 464.

A commonwealth was no government: it was a thing to be governed. An executive that is good for anything cannot be included as a part of a government floating upon an exclusive democratic plan. None denied the truth of that. The Confederacy, which the Constitution superseded, had no executive head. Commonwealths end in anarchy, or in one-man power. For these reasons the government most natural to the people of America would be — as nearly as a republican form would allow, without losing or impairing its essential distinctiveness — one that might most nearly assimilate to the British constitution "as its model." This proposition was thought best suited to the education, instincts, and real needs of the people; and one requiring no radical or violent change, and allowing "a thorough reform of the existing system." Washington, Adams, Hamilton, Jay, thought the same as to this being the requisite model. No commonwealth, no royalty, was correspondent to the conditions and demands of their country. It must be a Republic. "I am fully of opinion," wrote Washington, in answer to Madison, in February, 1787, "that those who lean to a monarchical government . . . . have not consulted the public mind." During the secret debates, Hamilton clearly and boldly took care, not only to be understood, but, that he should not be misunderstood. "These truths," he said, when urging

upon the convention the strength of a senate, to be composed of life members, as a safeguard against the popular will, when impulsive and irregular in its proceedings, "are not often told in public assemblies, but they cannot be unknown to any who hear me." "As long as offices are open to all men, and no constitutional rank is established, it is pure republicanism. But *if we incline too much to democracy, we shall soon shoot into a monarchy.*" "The fabric of THE AMERICAN EMPIRE," are his emphatic words, "ought to rest on the solid basis of the consent of the People;" and "the streams of national power ought to flow immediately from that pure original fountain of all legitimate authority."[1] And so, with similar enlightened convictions, it was, that Mirabeau held not his peace when the throne of Louis was staggering to its destruction, and a new frame of government was contemplated for the French people. "Even supposing, my friends," he said, in the unguarded confidence of the moment, when Petion, and other unworthy intimates were present, on that occasion to which we have already referred, "that royalty were now to be abolished; it is not a republic that must be established, — we are not yet ripe for this, — it must be a commonwealth."[2]

[1] *Secret Debates of Convention*, p. 170.

[2] The France of 1872 became "ripe" for a Republic, and its course indicates that the elements of perpetuity are inherent in its present prosperous republican form of government.

He preferred to tolerate and curb royalty, than fly to the ills of a commonwealth. "From that moment," says the Prince de Talleyrand, who was at the meeting, "such is my firm belief, his ruin was decided." Mirabeau was soon no more.[1] Hamilton was confident that his own countrymen were "ripe" for the benefaction of a Republic. Sharp experience had, for ages, enured them to self-imposed restraints upon the exercise of their political, moral, and, in the New England communi-

[1] The interview between Mirabeau and Talleyrand, on April 2d, 1791, is one of the most dramatic in personal memoirs. It was but two days before Mirabeau's death, commencing in the afternoon, near the fountain in the gardens of the Palais Royal, and ending late that night at the *restaurateur* Robert's. Talleyrand describes the whole scene, and says that Mirabeau depicted "the terrible future," and that never did "the herculean powers of his mind" appear more impressive. At the dinner his late depression of mind left him; he drank deeply; his spirits rose high; and he sang songs. Talleyrand says, in those recollections, "Already were Mirabeau's views and principles grown too tame, too reasonable, for these infuriated demagogues, and they had several times received with ill-temper his biting sarcasms at what he called their *exaltation républicaine.* I remember the effect produced upon one occasion at a private meeting of his friends, and the gloom and murmurs of rage with which the concluding words of a speech he had risen to make were received." The speech he alludes to is that of which we have, in the text, quoted the concluding words. "From that moment, such is my firm belief, his ruin was decided. The circumstances of his death will certainly justify, both to his friends and to posterity, every suspicion of poison; while, on the other hand, there were no symptoms which could not be accounted for by the complaint under which it had from the first been proclaimed that he was sinking."

ties, even religious absolute rights. They had been educated in a severe school indeed, and the uses of adversity had been sweet to them. The United States of America became, and are, by natural induction, a Republic: constituted by the states in empire.

The death of Cæsar consummated the Roman Empire. The daggers of the conspirators perfected the thing which they meant to destroy. So, by a kindred but ignoble act, did the death of Hamilton bring over the dispositions of men a resurrection of long-buried thought. For a time the turbulent passions sank to a repose, and the still small voice of reason could be heard; and it was heeded. It was the death of Cæsar which brought the Romans under the Empire. The death of Hamilton, in the fullness of time, confirmed the United States of America in their Empire; an empire which has grown, from the inherent energy of its republican union and democratic accretive development, into a Nation, united and strong: rich in national resources and of competent power. A power, new and untried; and which, before those three-score years and ten had gone by, was to be put to the proof of its strength; and, in that proof, was destined to disclose the invincibility of democracy when within the expression and command of republican institutions. The fasces of Roman symbolism has, at last, found in statesman-

ship the truth of which it is the emblem. For one hundred years the experiment of such government has gone on; first, for a few years, by a confederation of its sovereign States, and then, within a more perfect union, with decisive powers and a complete supremacy over all subjects delegated to it by the peoples of the several States, and over those auxiliary subjects which, by implication, may become necessary and convenient to the idea and power of a sovereign national authority. It was given to Hamilton to see political society in its first suggestive indications; in its inchoate, crude process of formation. So he could, and did, observe its growth into a matured organism; and, as we might say, its anatomy became as familiar to him as were those principles which are essential to its viability.

The man and the theme interest us. It was an experiment in governing thitherto unknown or untried. That political arrangement and checkmating among the Italian States, which arose from the brain of Lorenzo de' Medici,[1] is more curious and nice than it proved to be efficacious; and the Italian States soon again were hostile, and remained dissociate and apart. It failed; but the Republic of the United States of America has en-

[1] See Roscoe's *Life of Lorenzo de' Medici*, vol. 2, p. 3. From that device, however, arose the modern idea of "the balance of power," which has exercised so important a part in European international affairs.

dured; and has passed a century of years since its people declared themselves free and independent. They are united, strong, prosperous; and have, this year of Our Lord, 1876, invited the people of all other lands to come in among them and witness the evidences of their progress in arts and sciences. Her orators have instructed us of the past that we may be enabled to understand and value the present. Pæans have been sung to civil and religious liberty as illustrated and approved by the course of American constitutional government. The Landing of the Pilgrims, and the "Pilgrim's Progress," have again been rehearsed with an unimpaired freshness that age seems not to wither nor custom stale. But the name — no, not even the name — of Hamilton has come from either pen or lip on the day they celebrated. Is it, that, praising the tree of constitutional republican liberty and its fruit, and lost in that admiration, they forgot the root which, under the ground, still gives that tree life and vigor? We now rise to respond to the neglected name, and offer for acceptance the sentiment: ALEXANDER HAMILTON, *the founder of the American States in Empire.*

On the 17th of September, 1787, the Convention assembled at Philadelphia, at length agreed upon a federo-national Constitution, and closed its deliberations. That Constitution was now to be submitted to a Convention of delegates, chosen in

each State by its people, under the recommendation of its legislature, for their assent and ratification; and each convention assenting to and ratifying the Convention was to give notice of the act to "the United States in Congress assembled." The delegates on behalf of the people of New York were requested to convene at Poughkeepsie, a town situate on the Hudson River, on the 17th of June following. The contest there for the adoption of the proposed new Constitution was to be earnest, sometimes fierce and acrimonious; and between able and honest citizens who looked on the problem with widely differing interests and opinions. One party, led by George Clinton, then Governor of the State, regarded it as inevitably leading to the strangling of their new-born liberty, and surely to end in monarchy; the other party respected it as the only hope left, by which the disjected members of the existing Confederacy might be compelled to adhere together in a beneficial union; and, thereby avoiding both monarchy and commonwealth, become entitled to the name, power, and credit of a nation. The moment was critical. The future of the colonies, now by fact of arms a nation in a league, hung trembling. The geographical and political positions of New York, as related to the other States, were most important and precarious, and full of danger to itself.

The man who had led, and who was to continue

to guide, the Nationalists to successful, ultimate triumphs, was at this interval of time in the city of Albany. He had married, in 1780, Elizabeth, the second daughter of General Philip Schuyler, of that city, a distinguished soldier of the Revolution. Hamilton was now but thirty-one years old. His reputation for address, energy, and propriety of judgment, exceeded that of other men. His was, what Lamartine says of Mirabeau's wisdom, "the infallibility of good sense." The epithet precocious never applied to him. From his youth up his intellectual work had none of the infirmities of unripe effort. He was one of those few instances in which an intuitive knowledge seems to supersede the labor of learning, and the hidden nature of things appears to come without the effort of experiment. "He could see consequents yet dormant in their principles."[1] This sounds like extravagant eulogy, but the full development of our theme will show that we are painting an accurate portrait in natural colors. The founders of empire are the exception in history. Perhaps history does not teach a more interesting example of man's faith in a principle, and of heroism in its propagation. Columbus did not previse, in his mind's eye, more clearly, beyond the waste of waters, a new physical world, than did Hamilton perceive the new world of political household.

[1] South's *Works*, vol. 1, p. 26.

Simple, abiding faith, in what to them was an intellectual demonstration of unrevealed truth, impelled each to embark for untried, unknown, speculative worlds. The fecundity, power, vigor, and maturity of his intellectual labors had then as fully impressed his contemporaries as they have since impressed posterity. Knowledge, as acquired, was in him carried into faculty. He had in rare endowment the two faculties which are the prerogative of man: the powers of abstraction and of imagination. The "occasion sudden" never found him unprepared. It seemed intuition. This intuitional genius of his mind attracted the attention of the most acute and exact judge of men that modern times has produced.

When Talleyrand, in stress of politics, arrived in America, in 1794, he became personally and intimately acquainted with Hamilton. There were many things in common to the previous studies of these two extraordinary characters, and their political experiences were not without likeness. Dissimilar in their mental and moral natures, each revealed to the other unique resources for deep conference. Friendship followed admiration. The cool head and heart of Talleyrand were aglow with a fervid respect. They readily understood each other. They had each worked upon like subjects of public concern, and each had been employed by his respective country in similar ques-

tions of national finance and public credit. While yet the Abbé de Perigord, Talleyrand had acquired a serviceable knowledge of the science of finance, and of the fiscal condition of his nation. His studies were pursued chiefly during a brief season of retirement at Autun. Hamilton's were wrought out amid the stir of active war; and his famous letter to Robert Morris was written by camp-fires, while the army was in winter quarters at Morristown. They had each come to the belief, and advocated that "in a national bank alone can be found the ingredients to constitute a wholesome, solid, and beneficial credit." Talleyrand, when Necker presented his elaborate report on the fiscal state of France, found an opportunity on that occasion to prove his knowledge of the subject, and his ability to develop and make it intelligible and interesting. In his speech, December 4, 1789, he had proposed a national bank, and the accumulation of a sinking fund for the gradual payment of the public debt. On January 28, 1790, he had reported a plan for the establishment of a mint. They had also, each, considered of, and, by the request of the national legislatures reported, a scheme concerning manufactures and commerce, and an adequate protective policy.[1] Talleyrand

[1] Hamilton was the parent of protection to American industry. Henry Clay and, afterwards, Horace Greeley were the revivers of his policy, and its persistent advocates.

had proposed a uniform system of weights and measures; a system looking to uniformity among all nations; and it was adopted by his exertions, — it has proved to be the one most worthy of universal use. They had each formed a plan of public education. Talleyrand had presented his report to the National Assembly. In it he treated of the origin of public education, its objects, its organization, and its methods. It is said that this was the first time public education, as a duty of the state, had been proposed in Europe. The plan, it is true, was not then undertaken. But when public affairs became settled after the Revolution of 1830, and when a citizen king was brought in, chiefly by Talleyrand's diplomacy, a kindred system of national instruction was established, in which the main features of his plan were engrafted upon the more mature and perfect school system which had been devised by Hamilton. They had, also, each confirmed opinions concerning the general nature and science of popular government. Those opinions were alike, and came from like reflection. Their conception of a legislative assembly had been inspired by the English theory. The English constitution was no exotic in France. It had borne fruit there from an early day. A Philip de Comines had praised its polity in the fifteenth century, and a De Lolme had explained its growth, lauded its principles of

civil liberty, and enforced its example three centuries later. A simple single assembly was not a fit depositary for power. So thought Hamilton, instructed by the lessons of the Congress of the Confederation; and so thought Talleyrand, instructed by those of the States-General at Versailles. Their studies had been in the deep, clear, tranquil principles of the English Constitution, as instituted by Alfred the Great; overborne for centuries by the Norman Conquest, and revived in dignity and power when England, in the Revolution of 1688, re-settled its liberties upon the ancient foundations from which it had been violently pushed centuries before. The principle of the Revolution of 1688 was the instructive prototype which sanctioned the revolt of the American colonists in 1776. Talleyrand had wished as well for France; but 1793, as a mighty flood, had burst its way through all restraints and dykes, and spread destruction and desolation far and wide. The people became a mob; then, naturally and of course, absolute power became centered in few hands; then the Reign of Terror. France had attempted to establish philosophy by crime, and liberty by license. Hamilton and Talleyrand had learned by experience that true government was law; and in constitutional law alone was to be found perfect liberty. It is well worth the time to continue this comparison a while longer, that we

may so observe how similarly men act when nursed in the same *alma mater* of statehousehold. Like principles, when followed, produce like results. Hamilton rejected in his theory of government for America all forms which were not the embodiments of a true republican system. Hence he regarded the English Constitution as the "best model to work from." Talleyrand's preference was for a limited and constitutional monarchy. Lafayette and the constitutional party had the same preference; and they and Talleyrand were the sincere reproducers of the doctrines of Mirabeau. A government for the people, rather than a government by the people. This habit of thought Hamilton and Talleyrand had already acted upon when they each represented their constituencies in a public representative capacity. They had each acted upon "implied powers." As in the Convention of 1781, at Philadelphia, so at Versailles, in 1789, the delegates were called upon to decide whether they would obey the literal instructions received. A majority in each of these popular assemblies decided that it was their duty, as representatives, to consult the interests, in preference to the opinions, of their constituents. Edmund Burke had more than once, in 1774–80, taken the same exalted ground before the electors of Bristol.[1] Indeed, when the States-General were

[1] "Your representative owes you not his industry only, but his

summoned to meet together at Versailles, notning was contemplated beyond a consultation on the state of France. A constitution was not dreamed of, and its solemn acceptance by the king was a vision that had not arisen before the wildest fancy. Talleyrand was among the foremost in the making of that constitution. Jefferson was then the American Plenipotentiary to France, and a frequent spectator of the proceedings at Versailles. America had set an example concerning the duty of representatives, which, perhaps, was not without its influence. When the delegates were appointed to Philadelphia "there was no expectation on the part of any State that any other principle would be adopted as the basis of action than that by which the Articles of Confederation contemplated that all changes should be effected by the action of the States assembled by the unanimous assent of the different state legislatures." But the American delegates gave to their instructions a broader purpose by interpretation, and claimed, by inference, a corresponding authority. They esteemed it safer to be faithful to the object of the trust, and not mechanical reflectors of impulsive sentiment; to have the determination of public questions follow, not precede, debate. This was the

judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion." — Burke's *Works*, vol. 3, p. 232; his Speech on the Conclusion of the Poll (1774).

way they spoke and acted at Philadelphia, and at Versailles. Hamilton and Talleyrand had thus, each independently of the other, concurred in the fundamental axiom of the essentiality of "implied powers." It is the key-note to the progress and history of the American Republic. In the due occurrence, or chance, which brought these two men into the active, responsible administrations of the governments of their countries, there is a striking coincidence. The picture does not lack completion even in its mere accessories of circumstance. Colonne, Minister of Finance, desired Mirabeau to draft a paper on the finances of the country. Mirabeau declined; but he directed the attention of the minister to Talleyrand: "You have stated to me the regret you experienced at my unwillingness to devote my feeble talents to the embodying of your conceptions. Permit me, sir, to point out to you a man more deserving, in every respect, of this proof of confidence. The Abbé de Perigord unites great and tried abilities to profound circumspection and unshaken discretion. You will never find a man . . . . who possesses more the capacity to conceive great designs, and the courage to execute them." Washington, forming his first cabinet, applied to Robert Morris, the famous financier of the revolutionary and confederate epochs, to undertake the duties of the Secretaryship of the Treasury; he declined, but named

Hamilton "as the one man in the United States" fitted by studies and ability to create a public credit, and to bring the resources of the country into active efficiency. Washington found, in his former military secretary, the one thing most needed; the fiscal affairs of the nation at once were organized, and prosperity quickly came. Hamilton achieved therein an immediate success which, all agree, is without parallel.

Talleyrand felt in France that a destructive tempest was coming, and, admonished, he procured an appointment on a mission to England to elude its direct effects; he was, nevertheless, proscribed by his own country; he was ordered, by direction of Pitt, under the alien law, to depart from Great Britain within three days. He had known Pitt, in his youth, when he was, during a short stay, the guest at Paris of the Bishop of Rheims, an uncle of Talleyrand's; but he thought it indelicate to remind the supercilious minister of the former acquaintance.[1] Nowhere in Europe could the pro-

[1] During the first interview between Pitt and Talleyrand, when the latter was on his first mission to England, in 1791, he thought it was Pitt's place to recollect their former acquaintance, — for which reason Talleyrand did not mention it. Pitt, who did not wish for any renewal of intimacy, did not even allude to the circumstance, nor speak to him about his uncle. Talleyrand did not forget the incivility in after life, and when Austerlitz was fought and won he came nearly consummating a European league, of which England was to be the hostile objective point. That plan proposed to Napoleon at Ulm was found, in Talleyrand's own hand-

scribed and excommunicated Perigord find a safe refuge; so, in 1794, he departed for America. There he remained until the decree of proscription was, in September, 1795, revoked. Talleyrand and Hamilton soon met, of course. Their friendship is not a mere episode, but constitutes a prominent chapter, in their memoirs. Hamilton was then Secretary of the Treasury in Washington's administration. He had done the great work of his public life; redeemed the financial honor of his country; established its public credit; and set in motion the springs of its abundant and many sources of prosperity. He was in the thirty-seventh year of his age — Talleyrand was but three years his senior. Hamilton spoke the French language fluently, with correctness, and fine expression. Each was master of a language common to both. Hamilton's ruddy, vivacious countenance, inviting confidence, was in notable contrast to the other's pale repose; but the fascination of Talleyrand's bland and polished manner was irresistible for Hamilton. Talleyrand's experience of remarkable men was great and varied. He had met Voltaire when the philosopher of Ferney came for

writing, among his secret papers, after his death. Napoleon had other ambitious views, and neglected the project. The Talleyrand of 1830–38 had a changed policy, and desired a close friendship between England and France. The reciprocal visits of the sovereigns at Windsor and St. Cloud were among the results of that policy.

the last time to Paris. The young Abbé was enchanted with the keen intelligence and subtle speech of that supreme scoffer of the eighteenth century. He was received in a darkened chamber, and through an opening in the curtains it was so arranged that a single stream of subdued light fell upon the seated, draped figure of Voltaire. The light fell on him alone. It was the Rembrandt effect. The genius of philosophy in *chiaro-oscuro.*[1] Talleyrand's susceptible vein of satire was

[1] Voltaire was much given to the *coup de théatre.* The familiar scene in the Academy of Science (April 29, 1798), is graphically described by John Adams, who was there among the spectators. "Voltaire and Franklin were both present, and there arose a general cry that M. Voltaire and M. Franklin should be introduced to each other. This was done, and they bowed and spoke to each other. . . . . But this was not enough. The clamor continued until the exclamation came out, 'Il faut s'embrasser à la Française.' The two aged actors upon the great theatre of philosophy and frivolity then embraced each other, by hugging one another in their arms and kissing each other's cheeks, and then the tumult subsided. And the cry immediately spread throughout the kingdom, and I suppose throughout Europe, 'Qu'il était charmant de voir embrasser Solon et Sophocle!'" "When the American philosopher," says Condorcet, "presented his grandson for his benediction, 'God and Liberty,' uttered Voltaire, 'the only benediction suitable for a grandson of Franklin.'" — *Franklin's Life* (Bigelow's edition), vol. 2, p. 431.

When the writer of this essay was at Ferney, Switzerland, in the summer of 1870, he noticed on the wall of the chamber in which Voltaire died an engraved likeness of Franklin. All things in that chamber remain as at the time of Voltaire's death, and that engraving retains its place among the portraits of the distinguished men whom he liked to honor even in his household.

touched; but he wondered at the colloquial power of Voltaire. That wonder was not elevated nor tempered by respect. He early became captivated by the companionable qualities, discriminating taste, and superb intellect of Hamilton. Hamilton, in truth, was a revelation to Talleyrand of a higher degree of human nature, and brought to his recollection afresh the impressions of Mirabeau and of Charles James Fox. He found in Hamilton one who was, also, as preëminently as himself in his own famous social sphere, the first of conversationists. While the sparkling *mots* of Talleyrand flew from lips to ear with the applause of delightful excitement, it was always the strong sense of Hamilton's that lodged his animated thought into the very mind, and there induced reflection. Each was distinctively a gem — yet alike. As the single drop of pure dew resembles its crystallized similitude, the diamond, so did the clear intellect of Hamilton resemble that of Talleyrand. The one, full of life and lustrous — the other, fixed and brilliant. Talleyrand, notwithstanding this dry intellectual quality, was probably capable of deep moral feeling and as sensitive as Hamilton. If Talleyrand were, indeed, the ideal of attractive insincerities and elegant deceptiveness, which gossips of the *salons* have represented him to be, he could have felt little pleasure in the frank, ingenuous nature of Hamilton; nor could the latter have so

given himself to a devious-minded, artful, plausible diplomatist prone and skilled to circumvent and deceive. It will yet surely be entirely disclosed, when the seal of the secret memoirs of the Prince is broken and they are unfolded, — as they are promised to be within the next fifteen years, — that the judgment pronounced in the House of Lords by the Duke of Wellington will be verified and approved.[1] His real character and his agency in the great affairs of his time will not be fairly known until they are seen as drawn by his own hand.

The personal individuality of Talleyrand is a familiar historical portrait. His features were handsome and refined; soft dark eyes, much veiled by the lids, contributed to an air of quiet reverie,

[1] In answer to remarks which fell from Lord Londonderry, October, 1831, concerning Prince Talleyrand, the Duke of Wellington said that none of the great measures resolved upon at Vienna and Paris had been concerted or carried on without the intervention of that eminent person. "In all the transactions in which I have been engaged with Prince Talleyrand, no man could have conducted himself with more firmness and ability in regard to his own country, or with more uprightness and honor in all his communications with the ministers of other countries, than Prince Talleyrand. No man's public and private character has ever been so much belied as those of that illustrious individual." Lord Holland added that no man's private character had been more shamefully traduced, and no man's public conduct more mistaken and misrepresented, than that of Talleyrand. His behavior towards the American Commissioners at Paris, in 1797–98, will be likely to receive consideration in a subsequent part of this essay.

which, being habitual to him, was popularly misconstrued for an indication of natural secretiveness and politic scheming; and this habit blended and was in harmony with the pensiveness and aristocratic delicacy of his complexion. The defect of lameness was not readily observable in his handsome figure and graceful demeanor. Would not the pen of a Walter Savage Landor have had a felicitous labor in depicting the probable conferences of these two characters in an "Imaginary Conversation;" one that would have won our admiration as that fabled between Talleyrand and Louis XVIII. moves us to contempt and mirth. The respect and friendship of Talleyrand for Hamilton always continued; and, when the former was permitted to return to his native land, he called upon Hamilton to say adieu. Seeing on the mantel-piece a miniature of the American Secretary, he took it in hand and requested it for a souvenir. Hamilton was not free to give it; so Talleyrand borrowed it, and had a verisimilitude painted in France, which yet keeps its place on the walls of the home of the Talleyrands. It is that portrait which has been engraved, and is known as the Talleyrand miniature. It represents Hamilton in the civic costume of the time, with hair powdered, ending in a cue; and it bears a likeness to the celebrated bust by Cerrachi. There is an anecdote connected with this miniature which Tal-

leyrand related to Mr. Van Buren during the last evening they spent together in London. "Burr," said the Prince, "called in pursuance of a previous communication from him, and his card being brought up, he directed the messenger to say that he could not receive a visit from Colonel Burr, and referred him, for an explanation of his refusal, to a painting hanging over the mantel-piece in the ante-chamber, which was a portrait of Hamilton." Talleyrand frequently spoke his high opinion of Hamilton's genius. He had, before he went to America, learned much of him; his renown had reached Versailles. A translation of "The Federalist" appeared in Paris in 1792. Talleyrand, therefore, expected to find in him one who was deeply versed in all questions relating to general government, and its bearing on American republicanism; but he did not expect to find in him a comprehensive and penetrating intellect which had pierced through and through the very substance of the politics of Europe; and grasping the entire controversy that was about to make Europe one immense battle-field, upon which its giant frame should sink down exhausted by the paroxysm. He laid bare the subject with marvelous power of simplification. "One day in January, 1819, talking with Prince Talleyrand, in Paris, about his visit to America, he expressed the highest admiration of Mr. Hamilton, saying, among other

things, that he had known nearly all the marked men of his time, but that he had never known one, on the whole, equal to him. I was most surprised and gratified," writes in 1854 the celebrated George Ticknor, "with the remark; but still, feeling that, as an American, I was in some sort a party concerned by patriotism in the compliment, I answered with a little reserve, that the great military commanders and the great statesmen of Europe had dealt with larger masses and wider interests than he had. 'Mais, Monsieur,' the Prince instantly replied, 'Hamilton avait *deviné* l'Europe.'"[1] Talleyrand repeated the same opinion to others; and on some of those occasions mentioned the most exalted characters he had personally known as less in intellectual greatness than Hamilton.[2] "When I was Minister of the

[1] Curtis's *History of the Constitution of the United States*, vol. 2, p. 410, note. The word "diviné" was a favorite one with Talleyrand. When on his death-bed books of devotion were brought to him, at his own request, one especially, *The Christian Religion Studied in the True Spirit of its Maxims.* "The recollections which you recall," said he to his spiritual adviser and friend, the Abbé Dupauloup, "are dear to me, and I thank you for having divined the place they have preserved in my thoughts and in my heart."

[2] "Le prince, qui fut son ami et qui vécut avec lui durant son séjour en Amérique, répondit à quelqu'un qui lui demandait quels étaient les hommes les plus remarquables qu'il avait rencontrés dans sa longue carrière: 'Je considère Napoléon, Fox, et Hamilton comme les trois plus grands hommes de notre époque, et si je devais me prononcer entre les trois, je donnerais sans hésiter la

United States in England," writes President Van Buren, "I saw much of Prince Talleyrand, the French Ambassador at the same court, and enjoyed relations of marked kindness with him. In my formal visits to him we had long and frequent conversations, in which Hamilton, his acquaintance with him in this country, and incidents in their intercourse, were his favorite themes. He always spoke with great admiration of his talents, and during the last evening that I spent with him he said that he regarded Hamilton as the ablest man he became acquainted with in America, — he was not sure that he might not add without injustice, or that he had known in Europe."

What we wish to have noted is, that this master judge of men had accurately observed and correctly valued that most peculiar quality of Hamilton's mind, which qualified him to "see consequents yet dormant in their principles."[1] To exhibit the

première place à Hamilton. Il avait deviné l'Europe.'" — *Étude sur la République*, par le Marquis de Talleyrand-Périgord, p. 192.

[1] Since writing the above the author has come upon the following passage in Mr. Curtis's *History of the Constitution*, vol. 1, p. 410: Hamilton's "great characteristic was his profound insight into the principles of government. The sagacity with which he comprehended all systems, and the thorough knowledge he possessed of the working of all the freer institutions of ancient and modern times, united with a singular capacity to make the experience of the past bear on the actual state of society, rendered him one of the most useful statesmen that America has known. Whatever in the science of government had already been ascertained; whatever the civil condition of mankind in any age had made practi-

means which Talleyrand had for forming his opinion has been the chief reason why we have indulged ourselves in making this parallel of individual history, and of their mental and moral characteristics.[1]

Guizot, also, had read and reflected much upon the writings and political acts of Hamilton; and he says that Hamilton "must be classed among the men who have best known the vital principles and fundamental conditions of a government; not of a government such as this [alluding to the government of France at that moment], but of a government worthy of its mission and of its name."

His writing was of the school of Bolingbroke, and reminds us of that which Edmund Burke was still capable of at the time when he wrote "Thoughts on the Cause of the Present Discontents." The letters in "The Federalist" are the best examples of his style of written expres-

cable, or proved abortive; whatever experience had demonstrated, whatever the passions, the interests, or the wants of men had made inevitable, — he seemed to know intuitively. But he was no theorist. His powers were all eminently practical." Mr. Curtis's *History* is a very lucid recital of the course of events which lead to the project and to the adoption of the federal Constitution, and is enriched with graphic sketches of the several persons who assisted in the great undertaking.

[1] Talleyrand was born at Paris in 1754, and died at the hotel, which still bears his name, in that city, Thursday, May 17, 1838. He outlived Hamilton thirty-four years.

sion; they are, also, the most highly esteemed and widely read. "'The Federalist,' written principally by Hamilton," says the "Edinburgh Review," No. 24, "exhibits an extent and precision of information, a profundity of research, and an accurateness of understanding which would have done honor to the most illustrious statesmen of ancient or modern times;" and "Blackwood's Magazine," January, 1825, observes: "It is a work altogether, which, for comprehensiveness of design, strength, clearness, and simplicity has no parallel. We do not even except or overlook those of Montesquieu and Aristotle among the writings of men." Guizot said: "In the application of elementary principles of government to practical administration it was the greatest work known to him." Three translations of "The Federalist" have been published in France; but no edition, as yet, so far as we are informed, has been printed in Great Britain. "Vous avez lu 'Le Fédéraliste'?" said Talleyrand to the Duc d'Aranda, then the Envoy from Spain at the French court. "Non," replied the ambassador. "Lisez donc-lisez," added Talleyrand, with emphasis.[1] But much as has been, and may be,

[1] The latest edition of *The Federalist* is that one edited by Mr. John C. Hamilton, a son of the statesman, and published by Lippincott & Co., of Philadelphia, in 1875. The *Historical Notice*, which is written by Mr. Hamilton, and prefaces the book, is careful, candid, and full, and supplies all that seems to be desirable to elucidate its history and aid in its study.

repeated concerning "The Federalist," it is the official advice, given by Hamilton, when Secretary of the Treasury, to President Washington, on the legality of a National Bank of the United States, in which he develops fully his doctrine concerning the "implied powers" of that government, which will remain forever as the maturest monument of his philosophy in the broadest domain of American political jurisprudence. Chief Justice Marshall is the judicial expositor[1] of the meaning

[1] "Trois noms se détachent en relief dans l'histoire, et sont ce que j'appellerai la clef de voûte sur laquelle se construira le grand édifice de l'Union américaine. Ces noms sont ceux de Washington, Hamilton, Marshall. Ils ne sont pas choisis arbitrairement ni à la légère ; ce sont leurs actes, les faits eux-mêmes qui les portent en avant, qui les détachent en lumière sur les autres, et font qu'ils attirent du premier coup de l'œil l'attention de celui qui étudie l'histoire des colonies américaines." — *Étude sur la République des États-Unis d'Amérique*, par le Marquis de Talleyrand-Périgord, p. 188.

"John Marshall, chief-justice des États-Unis, fut l'homme qui entreprit ce long et difficile travail; il sut l'accomplir avec une supériorité telle qu'on peut sans hésiter le comparer, pour l'erudition et l'interprétation claire et précise des lois, au chancelier d'Aguesseau." — p. 190.

In the foregoing extracts the younger representative of the house of Talleyrand, with its traditional intelligence and acuteness, shows that he has discerned the true relation of Marshall to be that of the acknowledged expositor of the Constitution. The following extract from the same book, shows that he has formed a right conception of Hamilton : —

"Ce fut au génie constructeur politique d'Alexander Hamilton que l'Amérique doit sa constitution ; ce fut lui qui fournit les matériaux essentiels, qui la composent. C'est à lui qu'elle doit le plan général de l'édifice ; c'est lui qui dessina les lignes qui font de cette

of the Constitution, and he ever esteemed the writings of Hamilton as the reasonable and safest guide in its interpretation. The judgments of the Supreme Court, especially when Marshall presided there, upon questions arising under the Constitution, are commentaries upon the knowledge and wisdom of which those writings are the depositary.

The elaborate report "nominally upon manufactures, but embracing in its range every pursuit of human industry susceptible of encouragement under an unlimited government," was thought by President Van Buren to be "Hamilton's masterpiece;" and, he says, that by it "the subject was first brought to the notice, and recommended to the consideration of Congress."

It is not within the scope of this study to treat of Hamilton as a jurist in the labors peculiar to the profession. Yet that side of his triple talents cannot be wholly passed by unnoticed. It will be remarked that his labors therein were akin to

constitution un des monuments les plus remarquables de l'histoire. Grâce à son énergie, à son patriotisme, à sa merveilleuse intelligence et à son éloquence, il parvint à diriger l'esprit public vers la nécessité d'une union plus cohérente, plus parfaite. Sachant faire taire les sentiments égoïstes dés différents Etats, ils les amena á concourir à l'achèvement du grand œuvre. La constitution achevée, une chose restait à accomplir: il fallait donner une interprétation judiciaire, claire, précise, et lucide de cette constitution dans les rapports constants qu'elle serait appellée à avoir avec les événements publics."—p. 190.

those of his political life, — the creative and organizing faculty was ever industrious and productive. Chancellor Kent, in an address which he delivered October 21, 1836, before the Law Association of the city of New York, gives a sketch of this phase of the public life of Hamilton, whose marvelous power for continued labor and vigorous aptitude for deep research impressed the Chancellor from their first acquaintance. It was the custom of Hamilton, he says, to "ransack cases and precedents to their very foundations;" and that he did not content himself with anything less than going to the original sources; that he was familiar with the great Civilians, and thoroughly imbued with the ample and comprehensive spirit which distinguishes their writings; and that he, pursuing with elaborate care, attained rich results by, "inquiries into the commercial codes of the nations of the European continent."[1] It is certain that, on

[1] The writer has been informed, but by whom he finds himself now unable to recollect, that Chancellor Kent was influenced by the urgent advice of Hamilton to give the special attention, which he did, to the works of the Civilians. The writer, when a boy, had the honor to be known to the Chancellor, and read to him in his room at William S. Johnson's law-offices, in New York, the copy, while the Chancellor corrected the proof-sheets for the third volume of the third edition of the Commentaries. This was in 1841. The Chancellor was one of the most lively, charming, companionable of men, and very loquacious. It may be probable that the writer was told at that time by the Chancellor how it was he gave such special devotion to the study of the civil law, although it would have been for any one, besides that amiable, eminent man,

the retirement of Chief Justice Jay, the office of the Chief Justice of the United States was offered to Hamilton, so high did he stand in the estimation of all as a lawyer. He declined the nomination. His ambition and duty lay elsewhere in the public service. There are traditions which preserve an idea of his manner as a forensic advocate. They remind us somewhat of the manner which Brougham describes as characteristic of Erskine. Animated reasoning, glowing, chaste diction, and forcible earnestness were the elements which marked their efforts at the bar. None of Hamilton's forensic speeches were reported in full. Even the speech in which he submitted, in the case of *The People* v. *Croswell*, the definition of a libel, punishable as a public offense, is only a skeleton of the chief points and of the general course of reasoning. That definition has been incorporated into the jurisprudence of the several States and of foreign countries, and in some of the States has been embodied in the constitutions.

We have something to say of his manner of popular speaking. It was deliberate, sustained, and impassioned. Those who heard both have spoken of his manner as like that of the younger Pitt. But Pitt was cold, lofty, and declamatory. Ham-

an unusual topic to speak of to a mere lad. See *Appendix* for some extracts from the Address delivered by the Chancellor relating to Hamilton.

ilton was warm and genial, and considered the logical more than the mere rhetorical. Both, however, had the same weighty and authoritative air. But Pitt was not a great lawyer, nor, if Lord Macaulay's judgment is to be regarded as sound,[1] was he a great statesman. Tried by the standard of that age, he was a great man. That standard was in parliamentary government, which is described as "government by speaking." Pitt was surely a great "master of the whole art of parliamentary government." He domineered over the minds of his auditors. Legislation and administration were with him secondary matters. His inferiority becomes obvious when he is compared with a Tully, a Somers, an Oxenstiern, a John De Witt, and, let us add unhesitatingly, a Hamil-

[1] "Very idle apprehensions were generally entertained, that the public debt, though much less than a third of the debt which we now bear with ease, would be found too heavy for the strength of the nation. Those apprehensions might not perhaps have been easily quieted by reason. But Pitt quieted them by a juggle. He succeeding in persuading first himself, and then the whole nation, his opponents included, that a new sinking fund, which, so far as it differed from former sinking funds, differed for the worse, would by virtue of some mysterious power of propagation belonging to money, put into the pocket of the public creditor great sums, not taken out of the pocket of the tax-payer. The country, terrified by a danger which was no danger, hailed with delight and boundless confidence a remedy which was no remedy. The minister was almost universally extolled as the greatest of financiers." — Article, "William Pitt," written by Macaulay, *Encyclopedia Britannica*, January, 1859.

ton. These men were great as projectors of government. Great in the closet, great at the council board, and some of them great in the arena of debate. Hamilton was a marvel of success in creating a credit, and relieving his country from the burden of debt. Pitt was a failure in his financial system, and increased the public debt of England to such an incomprehensible magnitude, that his admirers are fond of mitigating the burden by describing it as a public blessing. The habit of comparing these two men, in all other mental respects dissimilar, has come from the attractive circumstances of each having at so early an age been brought into the public service of their countries; each being, in a maturity of youth, the conspicuous member of the administration of government; and having a manner of oratory belonging to the same school. Hamilton was as great as Pitt in the control of the will of deliberative assemblies. Hamilton, in common with Pitt, had that moral virtue inestimable for the talented and successful public man: he was known to be free from avarice and kindred dishonesty. Poor in the midst of abundance, and surrounded with the temptation of opportunity to get money, he neglected his own individual advantages, and dedicated himself to his country. This virtue his most adverse political foes admitted and admired. "Mr. Jefferson's habitual tone in speaking of Col-

onel Hamilton," wrote the Hon. Nicholas P. Twist, May 31, 1857, to President Van Buren, "was always the very reverse of that in which he spoke of those whose characters, personal or political, were objects of his disesteem. It was invariably such as to indicate, and to infuse a high estimate of Colonel Hamilton, as a man, whether considered with reference to personal matters or to political matters. As regards politics, their convictions, their creeds, were diametrically opposite." And President Van Buren, for himself, speaks of "Hamilton's elevated character in private life: upon whose integrity and fidelity in his personal dealings, and in the discharge of every private trust that was reposed in him, no shadow rested, who was indifferent to the accumulation of wealth, who as a public man was so free from intrigues for personal advancement, and whose thoughts and acts in that character were so constantly directed to great questions and great interests." His health was impaired and nearly broke under the loads imposed by his public and private duties. Talleyrand was walking, late one night, past the small brick house in Garden Street, in the city of New York, where Hamilton kept his law chambers. He was, as usual, at work. The next day the Prince, calling upon a lady, said to her: "I have seen one of the wonders of the world. I have seen a man laboring all night for the support

of his family, who has made the fortune of a nation."

The name and personal appearance of Hamilton were, at the epoch of the formation of the American Constitution, familiar to the American people. He was, as has been described to the writer by some that knew and one that loved him,[1] a small, lithe figure, instinct with life; erect, and steady in gait; a military presence, without the intolerable accuracy of a martinet; and his general address was graceful and nervous, indicating the beauty, energy, and activity of his mind. A bright, ruddy complexion; light-colored hair; a mouth infinite in expression, its sweet smile being most observable and most spoken of; eyes lustrous with deep meaning and reflection, or glancing with quick canny pleasantry, and the whole countenance decidedly Scottish in form and expression. He was, as may be inferred, the welcome guest and cheery companion in all relations of civil and social life. His political enemies frankly spoke of his manner and conversation, and regretted its irresistible charm. He certainly had a correct sense of that which is appropriate to the occasion and its object: the attribute which we call good taste. His manner, with a natural change, be-

[1] Catherine V. R. Cochrane, the sister-in-law of Hamilton, and youngest daughter of General Schuyler. She spent the latter years of her life at Oswego, N. Y.

came very calm and grave when "deliberation and public care" claimed his whole attention. At the time of which we now speak particularly (1787), he was continually brooding over the State convention then at hand; moods of engrossing thought came upon him even as he trod the crowded streets, and then his pace would become slower, his head be slightly bent downward, and, with hands joined together behind, he wended his way, his lips moving in concert with the thoughts forming in his mind. This habit of thinking, and this attitude, became involuntary with him as he grew in years.

Such was the individuality, personal, intellectual, and moral, of the man. He who was the architect and organizer of the new frame of government. It has been imputed that he managed the affair in water too deep for others. True. Not, however, in a deceitful or objectionable, but in a wise and masterly, sense. He knew well that in deep waters shallows and dangerous rocks are best avoided. It is only in our own times that a war for that Union has enabled us to really fathom the depth of his intentions and comprehensive policy. That intention and policy will receive our consideration when we come to treat of him as the Founder of Empire, and as the Organizer of its Administration of Government.

ALEXANDER HAMILTON was born a British sub-

ject, at Nevis, one of the West Indian Islands, on the 11th of January, 1757. His father was a son of Alexander Hamilton, of Grange, who in 1730 married Elizabeth, a daughter of Sir Robert Pollock. His mother was the child of a Huguenot, who had been driven from his country by the edict of Nantes. France and Scotland have not been unkindred alliances. Their intimacies have been many and dear. A Scotch guard adorned the court of a Louis XI.; a Mary, "Queen of Scots and of Hearts," shared for a too brief reign the throne of France; and France gave a refuge to the exiled Stuart. Michelet observes the relation of the people of these kingdoms. The fallen state of his father's business affairs allowed relatives of his mother to undertake the care and education of the lad, and he went with them to Santa Cruz; here he soon became proficient in the French and English languages. Before he had reached his thirteenth year he was taken from school, entered a mercantile house, and in a year's time was deemed capable to have control of the business during his principal's temporary absence from the island. A letter written by him at this early age discloses the lad's disposition and spirit. It was to a young friend named Stevens, afterwards his life-long friend. It is dated November 11, 1769. "To confess, Ned, my ambition is prevalent, so that I contemn the groveling ambition of a clerk,

or the like, to which my fortune condemns me, and would willingly risk my life, though not my character, to exalt my station. I . . . . mean to prepare the way for futurity. I 'm no philosopher, you see, and may be justly said to build castles in the air; my folly makes me ashamed, and beg you 'll conceal it. Yet, Neddy, we have seen such schemes successful, when the projector is constant." An avenue opened. In August, 1772, a most violent storm burst upon those islands; a description of its fearful effects was published in a local newspaper; the author was sought, and discovered by the Governor of the Island of St. Croix to be the boy Hamilton. Arrangements were made, offered to him and accepted, by which his liberal education was provided for. In October, 1772, he departed on the journey to New York by the way of Boston; without delay he entered the Grammar School at Elizabethtown, near New York. A few months were found sufficient to prepare him for college, and, before the winter of 1773 had passed, he was a student at King's College in the city of New York. The rapidity and thoroughness of his learning relieved him, by special privilege, from the time required by the rules for the usual curriculum. His application was very close and severe during this preparatory course, and afterwards in the college.

A storm was already gathering in the political

heavens more portentous than that which had swept over the West Indies, and its effect upon his destiny was to be as controlling and more determinate. But the student, if he noticed, was not distracted by the outward world. The academic grove claimed his duty, and had that claim allowed. There was a quiet, retiring spot, then called Batteau Street, where stately trees formed shady groves; here he took his daily walks, reflecting on his daily lessons; adding to his knowledge by conning over "thoughts of other men," and getting wisdom by being "attentive to his own." The genius of ambition did not intrude upon him there. Yet the time had come when he was to be summoned forth to "the battles, sieges, fortunes" of an eventful life.

A visit to Boston in the spring of 1774 brought him where the question of colonial resistance to the English administration was most warmly debated. Franklin, in London, on his mission of peace and petition for justice, had been insulted by Wedderburn in the face of the British ministry.[1] The supercilious spirit was to be met with defiance and resistance. The Boston Tea-Party had suited the action to its word; the word to its

[1] January 29th, 1874. The famous hearing at "The Cockpit" on the Hutchinson petition will be found best related in the 2d vol., p. 186, of *The Life of Benjamin Franklin*, edited by the Hon. John Bigelow, late our minister to France.

action. The Boston Port "Bill" had been denied the respect and force of law. Voices came from high places in England strengthening the purpose of the colonists. Chatham had publicly "rejoiced" in the House of Lords, "that the colonies resisted;" and Burke urged the Commons that America be conciliated, and told them that "invention was exhausted; reason was fatigued; experience had given judgment; but obstinacy was not yet conquered."[1] Camden, Fox, and others, openly sustained the resistance to the taxation as just and constitutional. These illustrious men declared that they spake under the sanction, and in support of the principles of English liberty. Burke emphasized the disposition and facility with which the American intellect searched to the very substance of the nature of things, moral and political. The writings of Hobbes of Malmsbury, Harrington, John Locke, Sydney, and the "Patriot King" of Bolingbroke, were widely read. While at Elizabethtown Hamilton became acquainted with Governor Livingston, Elias Boudi-

[1] Exordium to his speech on American Taxation, delivered April 19, 1774. Towards the close of the session of 1775, Edmund Burke, after three months' almost daily discussion of American affairs, presented a remonstrance from New York — hitherto a quiet and loyal colony — upon the harshness shown to her sister colonies. It met with a like reception from the minister as other innumerable petitions and agents did from Lords, Commons, and Privy Council: that is, few were received and none deigned to be answered. — Prior's *Life of Burke*, vol. 1, p. 312.

not, and their families; and had the propitious advantage of educated and refined society, and of sincere friends. In Boston his social intercourse was of a like kind. What he heard and saw there inclined him to study the history and principles of the contest. He did it with his habitual research and reflection. On his return to New York he soon became master of its fact and philosophy, as well as of a clear and authentic knowledge of the resolutions and acts of the British Parliament, relating to America subsequent to the peace of 1763; and of the proceedings of the British ministry to enforce them. His recent intercourse with people had already convinced him of the determined opposition with which these acts were met, and to be met, on the part of the people of the colonies. More serious claims were at this critical moment presented by the parliament; more serious oppressions threatened. The twelve colonies, which were spread over the vast space from Nova Scotia to Georgia, took alarm, and began to interchange opinions and projects to unite in appointing delegates "with authority and direction to meet and consult together for the common welfare."

Such a Congress was to meet at Philadelphia in September, 1774, and then and there was consummated a permanent union of the colonies which prepared the way, under the force of coming events, for the ultimate declaration of inde-

pendence. It was at a meeting held on July 6th, in the city of New York, to aid this project, that Hamilton made his first public appearance as an orator. The meeting was in the open fields, and attended by the most worthy citizens who were opposed to the course of the government. Well known orators had spoken to the assembly. Hamilton was among the audience. Under an impulse of the moment he ascended the hustings, and, with calm, earnest words, held the attention of the people. They marveled at the eloquence and mature sense of that which the unknown youth said. It was marked by the qualities of his later time, — deliberateness, clearness, warmth, and reason. From that period Hamilton, then seventeen years old, was a public and notable man. The work of his life was upon him.

Two pamphlets on the proceedings of the Continental Congress were published and distributed gratuitously among the people. They were written for the cause of the crown, and were marked with unusual ability. The advocates of the colonial cause felt the cogency of the arguments; violent discussion ensued; disturbances in public places; and, so little control had these folks over their anger, that copies of the pamphlets were tarred and feathered and nailed to the common pillory. Within two weeks from the first appearance of those pamphlets an answer came forth.

The tide of popular feeling was changed. The patriot party was delighted, and was thankful for the chance which gave the opportunity for such a satisfactory exposition and vindication of their colonial rights as English subjects. The controversy in writing went on, pamphlet answering pamphlet. The thoughts, learning, and style indicated that the answers had been the work of some one of the ablest men of the day; and to none but such as Governor Livingston and John Jay was the authorship ascribed. When a lad of nineteen years old was discovered to be the author, incredulity was pardonable. Indeed, only irrefragable evidence convinced those who doubted. As an orator and as a political writer, Hamilton was now before the people.

Samuel Seabury — a name to become known and venerated more than once in the American Church and honored in both hemispheres — was, in connection with Mr. Wilkins, another clergyman, the principal author of those two addresses "for the crown." He was a stout churchman, of most vigorous intellect, strong convictions, and, by those convictions, a loyalist. Afterwards he was the first Bishop of the American Church, and was consecrated at Longeau, Aberdeen, on Sunday, November 14th, 1784, by Bishop Kilgour, *Primus*, Bishop Petrie, and Bishop Skinner, of the Church of Scotland, who described themselves in the

Concordat, then made with the American Bishop, as "of the Catholic remainder of the ancient Church of Scotland."[1] His remains are buried in the crypt, beneath St. James's Church, New London, in the State of Connecticut, honored by the marbled reverence of that diocese of which he was the first bishop, and by a people who had imprisoned him for fidelity to his unpopular political principles and to his sincere allegiance.

The War for Independence was now upon the country. In May, 1775, another Congress was assembled, also at Philadelphia. It was invested with full powers to take care, according to its own discretion, of the liberties of the land. Georgia came into the confederacy, and the union then comprehended the whole thirteen colonies. Hostilities had actually begun in the Province of Massachusetts. The appeal to arms was made. A declaration of the reasons and necessity for taking up arms was proclaimed; and on July 3d, 1775, Washington, by commission from the Congress, took command of the American Army at Cambridge, Massachusetts. His headquarters were in the mansion to-day the residence of the poet Longfellow. Event followed event rapidly. The

[1] The writer is not aware that this important document has been printed. The words quoted have been copied from the original now in possession of the Rev. William J. Seabury, D. D., of New York, a great grandson of the Bishop.

people intended to protect their freedom as British subjects from the oppressions of a British ministry. They meant to do as a people what English barons and prelates had done at Runnymede.[1]

[1] From Hallam's *View of the State of Europe during the Middle Ages* (vol. 2, pp. 323, 324), I quote the following reflections, to show that that which we call "progress" is, in historical truth, a recurrence to those primary principles from which nations have wandered, or have been driven by usurpation. There is not an important moral or political reformation related in history but has been equally an assertion and reëstablishment of an ancient well-ordered freedom, and a manifestation of a living power. "One is surprised," says Hallam, "at the forbearance displayed by the barons, till they took up arms at length in that confederacy, which ended in establishing the Great Charter of Liberties. As this was the first effort towards a legal government, so it is beyond comparison the most important event in our history, except that Revolution, without which its benefits would have been rapidly annihilated. . . . . All that has since been obtained is little more than as confirmation or commentary; and if every subsequent law were to be swept away, there would still remain the bold features that distinguish a free from a despotic monarchy. . . . . An equal distribution of civil rights to all classes of freemen, forms the peculiar beauty of the charter. In this just solicitude for the people, and in the moderation which infringed upon no essential prerogative of the monarchy, we may perceive a liberality and patriotism very unlike the selfishness which is sometimes rashly imputed to those ancient barons. And, as far as we are guided by historical testimony, two great men, the pillars of our church and state, may be considered as entitled beyond the rest to the glory of this monument; Stephen Langton, Archbishop of Canterbury, and William, Earl of Pembroke. To their temperate zeal for a legal government, England was indebted during that critical period for the two greatest blessings that patriotic statesmen could confer: the establishment of civil liberty upon an immovable basis, and the preservation of national independence."

Those who wish to pursue thoughts on an associate theme, as

The principle of the Revolution of 1688 was within their understanding and appreciation, and had prepared the Englishry throughout the colonies to know their rights.[1] But there was a Providence shaping their ends. The infant colonies were, in three epochs of growth, — the revolutionary, the confederate, the constitutional, — to become the Republic; they had, as Montesquieu observes, "grown great nations in the forest they were sent to inhabit."

July 4, 1776, came. The United Colonies, in convention, at Philadelphia, declared with one consent, in the name and by the authority of the people, that all allegiance and political connection between them and the British crown had totally

just in principle as they are eloquent and correct in expression, will receive great pleasure and edification from reading the sermon of Canon Liddon on "The Law of Progress." — *University Sermons*, p. 25.

[1] "They were affectionate to the people of England, zealous and forward to assist in her wars, by voluntary contributions of men and money, even beyond their proportion. The King and Parliament had frequently acknowledged this by public messages, resolutions, and reimbursements. But they were equally fond of what they esteemed their rights; and, if they resisted when those were attacked, it was a resistance in favor of a British Constitution, which every Englishman might share in enjoying, who should come to live among them; it was resisting arbitrary impositions, that were contrary to common right and to their fundamental constitutions, and to constant ancient usage. It was indeed a resistance in favor of the liberties of England, which might have been endangered by success in the attempt against ours." — *Life of Benjamin Franklin* (Bigelow's edition), vol. 2, p. 316.

ceased; and that the United Colonies assumed, as independent and free States, their place among nations as a nation.

The war to maintain that declaration of independence and nationality was fought. By years of toil and sacrifice it was won. But it did not make nor leave the United Colonies a nation; except in the presupposition which, by a sort of theory, enabled them to act as such in their first diplomatic negotiation with England.

With the conduct of the war itself, and the part, important as it was, that Hamilton took in it; with his seven years of military service, and as "the chief adviser and aid of Washington" during that time, we are not to become specially interested in this study. It is the statesman — not the soldier nor jurist — that is to have our attention.

It was on January 20, 1783, that peace was concluded, at Paris, between Great Britain and the United States. The American commissioners had loosed themselves from the surveillance of the Count de Vergennes and settled upon the preliminary conditions with the British agents in a manner creditable to the wisdom and the honor of both nations. Indeed, the dislike to have France act directly or indirectly in that negotiation, guided as she then was by the ambitious Vergennes, who had ulterior views of his own to

chiefly serve, was shared by the English statesmen of all parties, as well as by the monarch himself. John Jay sympathized in this disposition of the English, from something he had heard from the French ambassador on their voyage together to Europe.[1]

Jay acted on the information received, and this inclination coincided with the purpose of Lord Shelburne, then at the head of the colonial office. Shelburne wished to secure peace, or rather a truce, independently of the French intervention. Charles James Fox was the Secretary for Foreign Affairs. To his hands, as he supposed, the negotiation properly belonged. He was ignorant of Shelburne's private, indirect, determination to take the matter into his own control, and of his secretly opening the subject to John Adams, at Amsterdam, the previous March. Fox was acting in his direct, frank, friendly way. Shelburne was aiming to deal with the States as distinctly colonies. The conduct of the States was encouraging unconsciously this project. Fox was advising that the negotiations be commenced by a recognition of the common independence of the United States. He was warm to an unusual degree, even above the customary license of Parliament. He continued to wear in the House of Commons what was beginning to be taken as the American uniform, buff

[1] *Life of John Adams*, vol. 2, p. 22.

and blue[1] — that mode which many persons still living will remember as the usual dress of Daniel Webster on occasions of professional arguments and of public significance.

It was early in 1782 that the dawn of peace began to be discernible. How could peace be negotiated? By the States in their form of confederation, or by each State for itself? It was a vital point for America. She claimed that it must proceed with the Foreign Office of Great Britain, and not with that of the colonies. The question had been anticipated by a council held by the British ministry. The way advised by Fox was not agreed to. Rockingham suddenly died. Shelburne had the control now, and the administration decided to treat with the successful States as "revolted colonies," and only with those. By this, as it was hoped, several of the colonies would be induced to continue adherents of the crown; and those others, by being apart, and their jealousies encouraged, would lapse into anarchy. The design was surely not without grounds for expectation to such as knew of the mutual strifes among the States. Benjamin Franklin was resident plenipotentiary to France, John Jay had left his mission to Spain, John Adams his at Holland, and Henry Laurens

[1] Prior's *Life of Burke*, vol. 1, p. 353. Burke declined to adopt this uniform as his ordinary dress in Parliament, and did not wear it except solicited to do so.

had come especially from the United States to assist in these negotiations of peace at Paris. Hamilton was requested to go upon that special mission. He declined, for he knew that a greater duty for him was at home. The Count de Vergennes had advised these commissioners to accede to the Shelburne proposal. Those sagacious men declined to act on the weak, if not selfish counsel; and they insisted that the United States were no longer colonies, but were a free and independent nation; and to be acknowledged and treated with as a nation. A recital of the details which accompanied this discussion would not elucidate the intent of our theme.[1] But the commissioners felt that the very idea of nationality in the negotiation of a treaty was desirable and necessary. To the English, the point was one of procedure merely. Not so to the United States. The negotiation finally went on with the Office for Foreign Affairs. Those and other statesmen were not deceived. It was better policy though, just then, to act upon the apparent, rather than to insist upon the real, fact. To the exterior world the United States presented the semblance of unity. Between the States themselves it was scarcely acknowledged. The unity of the States in any national sense was an empty

[1] Vol. 4 of the *Life of Lord Shelburne* is about to be published. It should be very interesting in its history of the secret and devious policy of that minister during this period.

theory. Pride, policy, and patriotism had nerved the American commissioners to insist on the ideal. But they knew, and intelligent people in Europe knew, that the thing itself did not exist. "To be more exposed in the eyes of the world, and more contemptible than we already are, is hardly possible," were the words of anguish wrung from even the patience of Washington.

Far otherwise was the effect of the American Revolution upon the imagination of the people generally in Europe. It fevered into false fancies. Those people had seen feeble, distant colonies, till then unknown, vindicate rights against a power upon whose dominions the sun never sets. The combat unequal, the success determinate.

Peace had brought difficulties surpassing those of war. Those difficulties had become notorious. Even the people of Europe, of whom large numbers had emigrated on the conclusion of the peace, began to see more clearly into the actual relation which affairs bore to each other. This and other disclosures came fully to pass before John Adams, in December, 1785, presented the memorial to the Court of St. James, urging a perfect compliance with certain articles of the treaty of peace. It seemed as if by the acquisition of independence no substantial good results were to follow. The Confederation was the only compact made "to form a perfect union of the States, to

establish justice, to insure tranquillity, and provide for the security of the nation." The epithet Union still commanded reverence, though not obedience. The public tranquillity was a portentous calm. A project for three confederate empires in America was beginning to be encouraged. Ambition was incited and nursed by the prospect of pronounced disunion. In the language of "The Federalist," "each State, yielding to the voice of immediate interest or convenience, successively withdrew its support from the Confederation, till the frail and tottering edifice was ready to fall upon our heads, and to crush us beneath its ruins." It was proclaimed, and circumstances led to the belief, that the States had each achieved its independence for itself, — that the Confederation was a league offensive and defensive, but not a government. The States were unwilling to surrender that independence, and merge their existence into a common form, wherein each would lose its individuality, as water is in water. The general government held a barren sceptre. It could plead, but not enforce. It could give judgment, but had no means to execute it. It was all head, and no arms. It could devise, but not perform. It could request the States, but not act upon the persons or property of the individual inhabitants. The State stood between the Confederation and the people. The general government had no fund, nor the power,

in and by itself, to raise a fund. It had already borrowed and created public debts. They were due, and owing to domestic and foreign creditors. Yet the general government found itself without requisite authority to lay taxes, or, by imposts, to get in a revenue. The State governments solemnly declined to concede such powers, notwithstanding the pressure. A public credit of course could not exist; no sort of valid assurance could be given to pay. Commercial jealousies and contentions among the States brought fearful bodings. Domestic peace was verily in danger. The general government, unable to respond to its vicarious liabilities, became the object of positive assault. The army clamored. The soldiers did not demand money, only that some reasonably sure provision might be made for ultimate payment. Congress was unable even to give this. The States refused to aid. The officers of the army, which had gone into winter quarters, pending the negotiations of peace, were about to meet, with hostile intent, to obtain redress. The veterans felt the neglect. Their heroic sacrifices had passed into history, but not into the hearts of their countrymen. Their simple, honest understandings could not distinguish between the Confederate Congress and the controlling power of the States, so as to appreciate where the blame should not be imputed. Washington, acting on the urgent advice

of Hamilton, did not allow the proposed meeting to take place. He acted with characteristic firmness and decision, and summoned the general and field officers to assemble together, giving their consultation a regular authority and orderly appearance. They assembled on Saturday, March 15, 1783. General Gates, restored to his command in the army, as its senior officer, presided. Knox and Putnam were there. The latter had fought at Bunker Hill. Washington stood in the midst of his old companions in arms. The tableau is one of the most affecting in the history of the war. It was certainly at one of its most momentous crises. Washington had in the mean time been truly informed "that the army had recently determined not to lay down their arms until due provision and a satisfactory prospect should be afforded on the subject of their pay; . . . . and that plans had been agitated, if not formed, for subsisting themselves after such declaration." He read a prepared address. On one, and but on one, other occasion was his heart to be again so tenderly moved. He was unable to preserve his composure. Tears were obscuring his vision, and it was with difficulty he read. "Fellow-soldiers," he said, "you perceive I have not only grown gray, but blind in your service." Having finished the address he immediately withdrew, so as to leave the officers unembarrassed by his presence

in their deliberations. They declared, without dissent, that they would "still place confidence in the justice of Congress and of their country." The impending storm was subdued. Washington wrote a letter to Congress appealing to its sense of justice. The appeal was to an empty, hopelessly bankrupt treasury; to a Congress with no power to fill it; to States too jealous of a national government to make the grant. The "justice" of the country slept on, undisturbed by any emotions of gratitude; the claims of the soldiers were pushed aside, and then forgotten. The Continental Army ceased to exist. The troops returned to their poverty-stricken homes. Happy the patriot who falls upon the field of glory. Rather the death of Leonidas than the doom of Belisarius.

Washington resigned, at Annapolis, Maryland, on December 23, 1783, into the hands of the Congress, the authority which it had invested him with in 1775. He was saluted by nations as the Fabius and the Epaminondas of the age. Thebes fell with Epaminondas; but the country of Washington was to endure, despite the troubles which were now clouding down upon it. The people of America had passed through two forms and stages in the course of their governmental growth. First, the revolutionary; second, the confederate; and now the third, the constitutional, was in its development. The uses of adversity never showed

sweeter nor more prolific of good. The passions of pride and selfishness in the dissociate States were impelling them into that consolidation which they wished to escape. The parent idea of union could not be annihilated, nor its urgency be overcome. It had recurred again and again from the time when first the Colonies were planted. It was of the essence of American colonial life. The Colonies clung to it during the Revolution; fitfully and fretfully tolerated it during the Confederation. A constitution and a perfect union were among the things inevitable within the pressure of the circumstances. The Confederation had died out. In the southern States, when a blight comes over the cotton field and all seems destroyed and gone forever, the people there say, "it has died out to a stand." That, only, which is corruptible and perishable has gone: the living principle from which shall spring a new and prosperous crop has not perished. It will bloom again in renovated strength at the future season. It had but died out to a stand; and that stand was made, in the sensitive economy of nature, at the vital part where the power of renewing lay in its concentrated and imperishable energy. A beautiful analogy of Resurrection and Life.

The Confederation had, indeed, died out. The energy from which a new, a great and adequate national government was to grow, lay treasured

and secured amid that which appeared but decay and death. Hamilton intelligently awaited its earliest and expected manifestation; and then cultured it to a pristine health. The development of that parent idea of union will be related in the succeeding part of this historical study.

Without the credit of a nation abroad, without the strength of a nation at home, the work for the new Constitution was begun and accomplished. A few, a very few, hopeful, earnest, and able men brought the blessing of good and national government upon the country. The general Convention at Philadelphia, September 17, 1787, had fulfilled its trust, and proposed for acceptance a constitution of government for the States. The following are its introductory words: "We, the people of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common Defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION for the United States of America." Hamilton is the author of that declaratory preface.

Washington had presided at that general Convention. His patriotism again strengthened the hearts and hope of those who wished well to the new system for a union. It was to the character of Washington, as it ever had been since

the efforts for independence and a republican form of government began, that the Nationalists turned when the cause of the Union grew weak. The country had no other single thing which was so sure to hold the confidence of all, and in whose presence passions subsided and jealous interests felt that they were safe. To be sure, there were other men. The men, whose talents and wisdom Chatham had compared to the choicest instances in history, had not all retired from public life. The places of those who had retired were filled by new men whose names were to become alike illustrious. Hamilton and Madison were of the latter. The political heavens were certainly aglow with lights throughout its widest space; but each led its own host, and was conspicuous as the leader of a particular constellation. Washington stood alone; less brilliant than others, but ever fixed in his place. The brightest stars are not the safest guide — the north star guides though others lead astray.

It was late in the autumn of 1787. Hamilton was then, as we have seen, silently concentrating his power and preparing himself for the Convention about to assemble at Poughkeepsie to deliberate upon the adoption of the proposed Constitution. The future of America was with the People. To them he spoke. They were the source of and avenue to legitimate power. Government must rest

on the consent of the governed in its first instance. After that the law, prescribed, dominates. That the People might be instructed in their political capacity, and in the nature of the work to be brought before that Convention, he commenced the addresses to them known as "The Federalist." No one was more competent either by knowledge, by talents, by wisdom, by faith in republican institutions, by patriotism, to give that instruction. In the language of that accomplished French statesman Guizot, "there is not in the Constitution of the United States an element of order, of force, of duration, which he has not powerfully contributed to introduce into it and to cause to predominate."

Such was Alexander Hamilton, upon the history of whose deeds as a statesman we now purpose to enter.

APPENDIX.

EXTRACT FROM CHANCELLOR KENT'S ADDRESS BEFORE THE LAW ASSOCIATION, NEW YORK, OCTOBER 21, 1836.

"AMONG his brethren Hamilton was indisputably preëminent. This was universally conceded. He rose at once to the loftiest heights of professional eminence, by his profound penetration, his power of analysis, the comprehensive grasp and strength of his understanding, and the firmness, frankness, and integrity of his character. We may say of him, in reference to his associates, as was said of Papinian, *omnes longo post se intervallo reliquerit.* A few reminiscences of the display of his genius and eloquence may not be uninteresting to the gentlemen I have now the honor to address.

"In January, 1785, I attended, for the first time, a term of the Supreme Court, and Mr. Hamilton, in an interesting case then brought to a hearing, commanded great attention and applause by his powers of argument and oratory.

"In the case I allude to, Chancellor Livingston claimed lands to a large amount in value, and lying on the north part of the County of Dutchess. . . . . He carried his cause, as it were, by a *coup-de-main*, and obtained a verdict rather by the force of his character, and the charm of his eloquence, than by the weight of evidence. In the January term following, a new trial was moved for, on the ground that the verdict was against evidence. I had the pleasure of being present at the argument, and a witness to the contest of

genius and eloquence between Chancellor Livingston and Colonel Hamilton, the master-spirits who controlled all hearts on that occasion, — the one contending for a new trial and the other resisting it. . . . . The tall and graceful figure of Chancellor Livingston, and his polished wit and classical taste, contributed not a little to deepen the impression resulting from the ingenuity of his argument, the vivacity of his imagination, and the dignity of his station.

"Mr. Hamilton was then at the age of twenty-seven, and he had never met and encountered such a distinguished opponent. He appeared to be agitated by intense thought. His eyes, his lips, and his pen, were in rapid motion during the Chancellor's address. He rose with firmness and dignity, and spoke for perhaps two hours in support of his motion. His reply was fluent, argumentative, ardent, and accompanied with great emphasis of manner and expression. It was marked for a searching analysis of the case, and a mastery of all the law and learning suitable to the subject. . . . . I have always regarded Mr. Hamilton's argument, near the close of his life, in the celebrated *Crosswell case*, as the greatest forensic effort he ever made. The subject was grave, and of lofty import. It related to the liberty of the press, and to the right of the jury in a criminal case, under the general issue, to determine the law as well as the fact. He never, in any case at the bar, commanded higher reverence for his principles, or equal admiration of the power and pathos of his eloquence. But we have not time to enlarge on that case; and it will be more interesting, as an example of the mighty powers of that great man, to take a general view of his efforts on a broader theatre, and not only as a lawyer but as a statesman, before a very dignified assembly, and upon the highest and noblest topics of political discussion that ever arose in this State. I am the more willing to recur to that history because I am apprehensive that the scanty memorials of the exhibition of Mr. Hamil-

ton's talents on that occasion are going fast into oblivion. I allude to the Convention which assembled at Poughkeepsie in the summer of 1788, to deliberate and decide on the adoption of the Federal Constitution. The intense interest with which the meeting of the Convention was anticipated and regarded can hardly be conceived at this day, and much less adequately described. I then resided in that village, and was enabled and induced to attend the Convention as a spectator, daily and steadily during the entire six weeks of its session, and I was of course an eye and ear witness to everything of a public nature that was said or done. The Convention was composed of sixty-five members, and not one of them remains a survivor at this day. That bright and golden age of the Republic may now be numbered 'with the years beyond the flood,' and I am left in comparative solitude."

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